

Amendments to the Specification

The first two proposed amendments to Page 5 of the Specification clarify the relationship between the text and Figures 4 and 5 and are self evident when the information presented on the respective Figures is compared with the text.

Entry of the third amendment to Page 5 is requested so that the amino acids originally included in SEQ ID NO: 5 with the nucleotide sequences may be identified by a separate SEQ ID NO (i.e., SEQ ID NO: 6) as required by the Sequence Rules. This amendment also necessitates the proposed amendments to Page 6 - i.e., the renumbering of SEQ ID Nos 6, 7, 8 and 9 as SEQ ID Nos 7, 8, 9, and 10, respectively.

In view of a typographical error in the original application, Applicants also request the entry of the amendment on Page 5 to change the third codon i.e., "ATT", to "AAT". The error appears both in the specification and the Sequence Listing and was due to the inadvertent typing of the letter "T" in place of "A". The fact that this is a typographical error is, for example, supported by the combination of two pieces of evidence found in the application as filed. First, the Figure corresponding to the information presented in original SEQ ID NO: 5 (amended SEQ ID NO: 5 and SEQ ID NO: 6) contains the correct codon, i.e., "AAT". Second, the amino acid corresponding to the third codon, as depicted in the text at Page 5, the Sequence Listing (at Page 11) and in original Figure 5 is asparagine which is encoded only by either AAT or AAC and **cannot** be encoded by ATT. (See for example, attached page 57 from *Recombinant DNA and Biotechnology*, H. Kreuzer and A. Massey, Eds. ASM Press (1996))

Applicants have also amended the Sequence Listings section of the specification to reflect the above changes. In addition applicants have

added two nucleotide and two amino acid sequences corresponding to those in Figure 3 as discussed in more detail below.

As required by the Rules, the undersigned attorney hereby states that:

- 1) the content of the paper and computer readable copies of the Sequence Listing, filed in accordance with 37 C.F.R. 1.821(g) herewith does not include new matter;
- 2) the amendments, made in accordance with 37 C.F.R. 1.825(a), included in the substitute sheets of the Sequence Listing are supported in the application and do not include new matter; and
- 3) the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. 1.825(b) is the same as the amended Sequence Listing.

Amendments to the Drawings

Figure 3:

To comply with the Sequence Rules, Applicants have amended Figure 3 to identify by SEQ ID Nos the amino acid and nucleotide sequences depicted therein. Specifically, the amino acid sequence and the nucleotide sequence corresponding to pDR85 have been identified as SEQ ID NO: 11 and SEQ ID NO: 12, respectively. Likewise, the nucleotide and amino acid sequences corresponding to pDR109 have been identified as SEQ ID NO: 13 and SEQ ID NO: 14, respectively.

Figure 5:

Applicants have amended this drawing by deleting the BsaBI-SacI oligo sequence as presenting information cumulative of that discussed in Example 4 of the Specification at Page 5. In addition applicants have substituted "SstI" for "SacI" in order to be consistent with the terminology

used in the specification. As one of skill in the art would readily recognize, the SstI and SacI are isoschizomers and as such the two enzymes recognize the same restriction sites. (See the attached excerpts from *New England BioLabs 96/97 Catalog*)

Figure 6:

Applicants have deleted the nucleotide sequence depicted therein again as being cumulative of information contained in Example 5 of the Specification at Pages 5-6.

Applicants note that none of the proposed amendments to the drawings introduce new matter and as such respectfully request that the changes be approved.

Applicants believe that the points raised in the Examiner's Communication have been adequately addressed. Should the Examiner conclude otherwise, Applicants request that the undersigned attorney be contacted to resolve any outstanding issues.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
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DATE OF DEPOSIT
Immac J. Thampoe 36,322
REGISTERED REPRESENTATIVE
[Signature] 3/26/98
SIGNATURE AND DATE OF SIGNATURE

Respectfully submitted,

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